

CA LEV Does Not Support Montana's Commitment to E85

Stop Montana from Becoming a "California State"

SENATE NATURAL RESOURCES
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What is the California Low Emission Vehicle (CA LEV) Program?

- California standards include three components – Emissions, ZEV Mandate, and CO₂.
 - The emissions and ZEV Mandate components of CA LEV regulate smog and ozone-forming emissions. They are currently implemented in CA LEV states.
 - The CO₂ portion of CA LEV regulates fuel economy, but **cannot** be implemented in any state, including California at this time. US EPA is currently reviewing California's request to implement its own fuel economy program, however the outcome of that review remains in question.

All Three Components of CA LEV Contradict Montana's Commitment to E85 Technology and Infrastructure

Emissions

- Tremendous progress has been made in the area of vehicle emissions – automobiles are 99% cleaner than their 1970's counterparts.
- E85 fuel produces less smog-forming emissions than gasoline.
- Still, flex fuel vehicles, or E85 capable vehicles, cannot meet CA LEV's "Super Ultra Low Emissions Vehicle" or SULEV standard.
- It is expected that California will update its emission program in 2008 so that the average vehicle will have to meet the SULEV standard.

ZEV Mandate

- Zero Emission, or battery-powered/hydrogen fuel cell mandate.
- Requires approximately 40% of all vehicles sold in the state to certify to the ZEV standards.
- FFVs cannot meet the SULEV standard required in all ZEV categories.
- Additionally, FFVs cannot meet the zero evaporative emission standards in the "Partial Zero Emission Vehicle" or PZEV category.
- To date, no FFVs have been certified to meet any of the ZEV standards.

CO₂

- There is no practical way for automakers to get credit toward their CO₂ fleet averages for producing or selling E85 vehicles.
- Why? In order for manufacturers to get credit for their E85 vehicles, proof needs to be provided that the vehicles are operating on E85 gasoline.
- An expert retained by California to testify on alternative fuels stated, under oath, that it would not be prudent for vehicle manufacturers to rely on the sale of E85 vehicles to comply with the CA LEV CO₂ standards.

Adoption of CA LEV will:

- Compromise Montana's promotion of renewable fuels and alternative vehicles;
- Limit vehicle choice for Montana consumers - particularly by limiting the availability of the light trucks and SUVs that Montana residents like to drive; and
- Cede Montana's regulatory authority to California – a state that is vastly different, has not shown Montana's commitment to ethanol, and has no accountability to Montana residents.

Join Our Opposition to CA LEV!